

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

JOEY KIMBROUGH,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 1:22-cv-01217-SEB-DML
	)	
SNAP-ON CREDIT LLC,	)	
EXPERIAN INFORMATION SOLUTIONS,	)	
INC,	)	
EQUIFAX INFORMATION SERVICES	)	
LLC,	)	
	)	
Defendants.	)	

Order Setting Initial Pretrial Conference

This case is assigned for an initial pretrial conference on **September 29, 2022, at 1:30 p.m. (Eastern)**. The parties shall attend the conference by calling 888-363-4734, access code 5451691.

The court advises the plaintiff, who is representing himself, that the court's website at <http://www.insd.uscourts.gov/> contains information designed to assist pro se litigants at various phases of the litigation process. Under the tab "Representing Yourself," you will find links to information and forms. There are also links to the Federal Rules of Civil Procedure and to the rules adopted by the Southern District of Indiana ("Local Rules").

One of the first things that the court will likely ask the plaintiff to do at the conference is to briefly explain what the lawsuit is about. That means that the plaintiff must be prepared to tell the court what his or her case is about and how

each defendant was involved. Afterward, the court will likely ask the defendant to briefly explain its defenses.

The court will ask the parties if there is any reason that the court should not enter the following orders in the case:

- A.** No later than **November 13, 2022** – Each party must give the other parties a list (with addresses and telephone numbers) of every witness who has knowledge that could help prove that party's claims or defenses. For each witness the party lists, there should be a brief description of what that witness knows. **\*\*This list is NOT filed with the court.**
- B.** No later than **November 13, 2022** – Each party must give the other parties copies of all documents, computer files, and other electronic data that the party has that it may use to prove its case. **\*\*The copies of documents are NOT filed with the court.**
- C.** No later than **November 13, 2022** – The plaintiff must give the defendant a written estimate of how much money the plaintiff claims he is entitled to for any injuries or damages the plaintiff claims to have suffered. At that time, the plaintiff must also give the defendant all non-privileged documents that support that estimate, including those that might prove the nature and the extent of the plaintiff's injury. **\*\*This estimate and the documents are NOT filed with the court.**
- D.** No later than **November 13, 2022** – The plaintiff must make a written settlement demand on the defendant that includes the terms upon which

the plaintiff is willing to settle this case. The defendant must respond in writing within 30 days. \*\*Neither the plaintiff's demand nor the defendant's response is filed with the court.

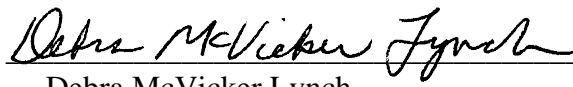
- E.** The parties must update the information and documents that they provided to each other under Paragraphs A-C above as additional information becomes available to them. The court may prevent a party from using evidence that it has not shared with the other side.
- F.** No later than **December 13, 2022** – Any party who wants to amend its Complaint, Answer, or other pleading must file a motion requesting permission to do so. This includes trying to add new parties to the suit.
- G.** No later than **January 12, 2023** – Each party must tell the other parties if it intends to use any testimony by expert witnesses. At that time, if a party intends to use an expert, it must give the other party a signed report from the expert that presents all the witness' opinions and all the other information required by Federal Rule of Civil Procedure 26(a)(2). Thirty days later, the other side must file a report by any rebuttal expert. A party who has received an expert report from the other party is permitted, but not required, to have a rebuttal report.
- H.** If parties need additional evidence from each other, or from third-parties, companies, or entities, they may use the methods described in Federal Rules of Civil Procedure 26-36 and 45 to obtain it. These methods are called “discovery” methods. All discovery requests must be served on the

responding party (but NOT filed with the court) no later than **February 26, 2023**. All depositions must be completed by **March 28, 2023**. **If any dispute arises in a deposition that threatens to prevent the completion of a deposition, the parties must contact the chambers of the Magistrate Judge to determine whether the Magistrate Judge is available to resolve the dispute by way of a telephone conference. A party may temporarily recess (but not terminate) the deposition to contact the Magistrate Judge's chambers for this purpose.**

- I.** No later than **April 27, 2023** – Any party who believes that there is no genuine issue as to any material fact and that it is entitled to judgment as a matter of law, and therefore the case does not need to go to trial, must file its motion under Federal Rule of Civil Procedure 56.
- J.** At or after the initial pretrial conference, the court will schedule further proceedings for the administration of this case. In addition, the parties may be contacted separately by the magistrate judge or her staff at any time during this case to address the possibility of settlement.
- K.** If the case is not resolved by settlement, motion, or other ruling, the court will set a trial date.

So ORDERED.

Date: 7/19/2022

  
Debra McVicker Lynch  
United States Magistrate Judge  
Southern District of Indiana

Distribution:

All ECF-registered counsel of record via email

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